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Problems of Extradition Affecting Refugees

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Cite as	UN High Commissioner for Refugees (UNHCR), <i>Problems of Extradition Affecting Refugees</i> , 16 October 1980, No. 17 (XXXI) - 1980, available at: http://www.refworld.org/docid/3ae68c4423.html [accessed 24 October 2013]
Comments	Executive Committee 31st session. Contained in United Nations General Assembly Document No. 12A (A/35/12/Add.1). Conclusion endorsed by the Executive Committee of the High Commissioner's Programme upon the recommendation of the Sub-Committee of the Whole on International Protection of Refugees.

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The Executive Committee,

- (a) Considered that cases in which the extradition of a refugee or of a person who may qualify as a refugee is requested may give rise to special problems;
- (b) Reaffirmed the fundamental character of the generally recognized principle of non-refoulement;

- (c) Recognized that refugees should be protected in regard to extradition to a country where they have well-founded reasons to fear persecution on the grounds enumerated in Article 1(A)(2) of the 1951 United Nations Convention relating to the Status of Refugees;
- (d) Called upon States to ensure that the principle of non-refoulement is duly taken into account in treaties relating to extradition and as appropriate in national legislation on the subject;
- (e) Expressed the hope that due regard be had to the principle of non-refoulement in the application of existing treaties relating to extradition;
- (f) Stressed that nothing in the present conclusions should be considered as affecting the necessity for States to ensure, on the basis of national legislation and international instruments, punishment for serious offenses, such as the unlawful seizure of aircraft, the taking of hostages and murder;
- (g) Stressed that protection in regard to extradition applies to persons who fulfil the criteria of the refugee definition and who are not excluded from refugee status by virtue of Article 1(F)(b) of the 1951 United Nations Convention relating to the Status of Refugees.

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